

**TOWN OF BEAUX ARTS VILLAGE
ORDINANCE NO. 274**

AN ORDINANCE OF THE TOWN OF BEAUX ARTS VILLAGE REGULATING
AND RELATING TO THE STOPPING AND PARKING OF AUTOMOBILES,
RECREATIONAL OR UTILITY VEHICLES AND THEIR RELATED
EQUIPMENT, AND PROVIDING PENALTIES FOR THE VIOLATION
THEREOF, AND REPEALING ORDINANCE NOS. 218 AND 231.

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS
VILLAGE, WASHINGTON, AS FOLLOWS:**

Section 1. Definitions.

Driveway: the egress and ingress between the paved roadway and the parking facilities on a property (e.g. garages, carports, and parking pads), including both the private property and Town right-of-way portion. For purposes of this ordinance, the driveway width is defined as the width of the parking facilities.

Junker: any vehicle not currently licensed to be driven on public roads or not currently capable of being legally driven.

Line of sight: the view along a Town right-of-way from any part of a paved roadway to any other part of a paved roadway.

Passenger vehicle: any of the following vehicles: automobiles, 7-9 passenger vans, and small pickup trucks.

Recreational, commercial, or utility vehicle: any of, but not limited to, the following: boats, campers, boat trailers, travel trailers, pickup campers, coaches (designed to be mounted on automotive vehicles), motorized dwellings, recreational vehicles, tent trailers, and cases or boxes used for transporting recreational equipment, utility trailers, trucks, junkers, machinery, passenger vehicles under repair, commercial vehicles, camper tops or shells.

Screen: fencing, landscaping, or structure that obscures the view of an object from the right-of-way and/or adjoining property.

Section 2. Parking provisions.

a. It shall be unlawful for any person to stop, stand or park any passenger vehicle, recreational, commercial, or utility vehicle, or junker in any of the following places, except temporarily during the actual loading or unloading of passengers or when necessary to avoid

a traffic conflict or in obedience to a police officer, to traffic regulations or to traffic signs or signals:

- (1) In front of a private driveway.
 - (2) Within ten (10) feet of a fire hydrant.
 - (3) On a crosswalk.
 - (4) Within twenty (20) feet of a crosswalk.
 - (5) Within thirty (30) feet of any traffic control signal, stop sign or traffic control sign located on the side of a roadway.
 - (6) On the paved portion of 108th Avenue SE.
 - (7) On the west side of 108th Avenue SE between SE 29th Street and SE 30th Street or within sixty (60) feet north of SE 29th Street.
 - (8) On the paved portion of the north and south through street known and designated as:
 - (a) 104th Avenue SE between the north boundary of the Town and SE 28th Street; and
 - (b) SE 28th Street between 104th Avenue SE and 105th Avenue SE; and
 - (c) 105th Avenue SE between SE 28th Street and SE 30th Street.
 - (9) On any street in such a manner or under such conditions as to leave less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.
 - (10) On the paved turnout areas located:
 - (a) on the south side of SE 29th Street just east of 106th Place SE; and
 - (b) on the east side of 106th Place SE approximately one hundred (100) feet north of SE 29th Street.
 - (11) Where line of sight is impaired.
- b. Passenger vehicles that are owned by a resident shall be parked on that resident's private property. If this is not possible, these vehicles may be parked on the Town right-of-way portion of the driveway, as long as line of sight is not impaired.
- c. Recreational, commercial, or utility vehicles or junkers:
- (1) may be parked in a carport or garage, or may be parked on private property if screened as defined in Section 1 of this ordinance; and

- (2) may be temporarily parked in a non-screened area for a period not to exceed a total of two weeks in a one-year period. An owner may be granted an extended period of time by the Town Marshal upon application, which shall include the signed consent of each adjoining property owner and the property owners across the street, and an explanation of the special circumstances that make the extension necessary..
- d. The undeveloped, unpaved portion of the Town right-of-way may be used for guest parking, or for occasional temporary parking by residents provided the vehicle is not blocking through traffic and does not violate any provision of this ordinance.
- e. No vehicle parked within the Town shall be used regularly for sleeping or housekeeping purposes. (Refer to Ordinance No. 61 regulating the use and occupancy of house trailers, campers, etc.).

Section 3. Exceptions. Exceptions to the provisions of this ordinance may be granted by the Council under the following conditions:

- a. The resident seeking the exception shall file an application with the Town Clerk indicating:
- (1) The reasons why the strict enforcement of this ordinance would cause an undue hardship; and
 - (2) An alternative parking and/or screening proposal that will not have a negative impact on the quality of the immediate neighborhood.
- b. At least one week prior to the Council meeting at which such an application will be considered, the Town Clerk shall provide a copy of the application to each adjoining property owner and the property owners across the street.
- c. When considering such an application, the Council shall take into consideration traffic congestion and safety, and the impact on surrounding neighbors.

Section 4. Enforcement and Penalties. Any person violating or failing to comply with any of the provisions of this ordinance shall be subject to a civil penalty in the amount of \$100 per day for each day in which the violation continues. In addition, the Town Marshal may place a 72-hour notice on any vehicle parked in violation of this ordinance indicating that the vehicle must be removed within the 72-hour period or it will be removed by the Town at the owner's expense.

Section 5. Repealer. The following ordinances are hereby repealed:

- a. Ordinance No. 218, passed by the Council on June 13, 1989.
- b. Ordinance No. 231, passed by the Council on July 9, 1991.

Section 6. Validity. If any section, paragraph, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses, or phrases subsequently may be found by competent authority to be unconstitutional or invalid.

Section 7. Effective Date. This ordinance shall take effect five (5) days after its passage and publication.

PASSED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE on the 9th day of September, 1997.

Mayor

ATTEST:

APPROVED AS TO FORM:

Administrative Coordinator

Town Attorney

I certify that copies of the above ordinance were posted as required by law in the Town of Beaux Arts Village, Washington, on the ____th day of _____, 199__.

Sue Ann Spens
Administrative Coordinator